

SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
NSPS Subpart Da, Standards of Performance for Electric Utility Steam Generating Units

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS Subpart Da, Standards of Performance for Electric Utility Steam Generating Units.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS), for the regulations published at 40 CFR 60, Subpart Da were proposed on September 18, 1978, and promulgated on June 11, 1979 (44 FR 33613). These regulations apply to the following facilities in 40 CFR Part 60, Subpart Da: those that have electric utility steam generating units which are capable of combusting more than 73 megawatts (MW) heat input of fossil fuel commencing construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 60, Subpart Da.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the United States Environmental Protection Agency (EPA) Regional Office.

According to data from the Edison Electric Institute approximately 644 sources are currently subject to the regulation and approximately eleven additional sources will become subject to the regulation in the next three years. The respondent cost of this ICR will be \$7,628,548. OMB approved the currently active ICR without any "Terms of Clearance."

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated. Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every four years.

In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, sulfur dioxide (SO₂), particulate matter (PM), and nitrogen oxide (NO_x) emissions from electric utility steam generating units cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart Da.

2(b) Practical Utility/Users of the Data

The control of emissions of SO₂, PM, and NO_x from electric utility steam generating units requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of SO₂, PM, and NO_x from electric utility steam generating units are the result of operation of the affected facilities. The subject standards are

achieved by the capture and/or reduction of SO₂, PM, and NO_x emissions using control technologies such as sorbent injection technologies and wet and dry scrubbers for SO₂; cyclones, electrostatic precipitators, and fabric filters for PM; and low NO_x burners and selective catalytic or noncatalytic reduction technologies for NO_x. The notifications required in the applicable regulations are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the regulations are being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. The semiannual and quarterly reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment and achieve compliance with the regulation. Adequate monitoring, recordkeeping, and reporting is necessary to ensure compliance with the applicable regulations, as required by the Clean Air Act. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR Part 60, Subpart Da.

3(a) Nonduplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or local agency. If a State or local agency has adopted their own similar standards to implement the Federal standards, a copy of the report submitted to the State or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on June 20, 2002. No comments were received on the burden published in the Federal Register.

3(c) Consultations

EPA's Office of Air Quality Planning and Standards, Department of Energy's Energy Information Agency, the Electric Power Research Institute, and the Edison Electric Institute were consulted to determine the current number of facilities and the industry growth rate. EPA's Online Tracking Information System (OTIS) is usually the primary source of information regarding the number of existing sources and industry trade associations and other government sources were used to verify OTIS data. Based on industry data the OTIS number was adjusted.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR 1320.5.

3(f) Confidentiality

The required information has been determined not to be confidential. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are electric utility steam generating units which are capable of combusting more than 73 megawatts (MW) heat input of fossil fuel, for which construction or modification is commenced after September 18, 1978. The SIC code for the respondents affected by the standards is SIC (United States Standard Industrial Classification) 4911, which corresponds to the NAICS (The North American Industry Classification System) 221112 for electric utility steam generating units.

4(b) Information Requested

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 60, Subpart Da.

A source must make the following reports:

Reports for 40 CFR Part 60, Subpart Da	
Construction/reconstruction	60.7(a)(1)
Actual startup	60.7(a)(3)
Initial performance test results	60.8 (a), 60.49a(a)
Initial performance test	60.8(d)
Demonstration of continuous monitoring system	60.7(a)(5)
Monitoring system performance	60.7(c), 60.49a(i)
Physical or operational change	60.7(a)(4)
Daily operating parameter - emission controls	60.49a(b)
Monitoring system - minimum emissions data	60.49a(c)
Control system malfunction	60.49a(d)
Fuel treatment credit - SO ₂	60.49a(e)
Data un-availability (SO ₂ , NO _x)	60.49a(f)
Minimum data requirements	60.49a(g)

Reports for 40 CFR Part 60, Subpart Da	
Excess emissions	60.7(c), 60.49a(h)
Quarterly reporting	60.49a(j)
Semiannual Reporting	60.49a(i)

A source must maintain the following records:

Recordkeeping for 40 CFR Part 60, Subpart Da	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	60.7(b)
Reporting requirements	60.49(a)
Emissions monitoring	60.47a
Records are required to be retained for 2 years at the facility	60.7(f)

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate Continuous Monitoring System (CMS) for opacity, or for pressure drop and liquid supply pressure for wet scrubber.
Perform initial performance test, Reference Method tests (Method 3B, Method 5, Method 9, and Method 19) and repeat performance tests.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.

Respondent Activities
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AIRS (Aerometric Information Retrieval System) Facility Subsystem (AFS) database.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual and quarterly reports are used

for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AFS which is operated and maintained by EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by local and State regulatory agencies, EPA Regional Offices and EPA Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

There are no small businesses affected by this regulation.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1 (Annual Burden of Reporting and Recordkeeping Requirements as a Result of the Standards for Electric Utility Steam Generating Units/NSPS Subpart Da).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the Subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 133,553 person hours. These hours are based on Agency studies and background documents from the development of the regulation, Agency

knowledge and experience with the NSPS program, the previously approved ICR, any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses a Technical Labor Rate of \$57.12 per hour. This rate is from the United States Department of Labor, Bureau of Labor Statistics, March 2001, "Table 10: Private industry, by occupational and industry group." The rates are from column 1, "Total compensation." The wage rate of \$27.20 has been increased by 110% to account for the benefit packages available to those employed by private industry for a labor rate of \$57.12 per hour.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activity in the regulations are for labor and continuous emission monitoring (CEM). The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor and other costs such as photocopying and postage.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Startup Cost (\$) for One Affected Facility	(C) Number of New Affected Facilities to Startup	(D) Total Startup (B X C)	(E) Annual O&M Costs (\$) for One Affected Facility	(F) Number of Affected Facilities with O&M	(G) Total O&M (E X F)
SO ₂ , PM, and NO _x	\$200,000	11	\$2,200,000	\$15,000	644	\$9,660,000

The total capital/startup costs for this ICR are \$2,200,000. This is the total of column D in the above table. These costs are shown in block 14(a), Total annualized capital/startup costs, on the OMB 83-I form. It should be noted that the numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

The total operation and maintenance (O&M) costs for this ICR are \$9,660,000. This is the total of column G. These costs are shown in block 14(b), Total annual costs (O&M), on the OMB 83-I form.

The total respondent non-labor costs in block 14 have been calculated as the addition of the capital/startup costs, and the annual operation and maintenance costs. The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$11,860,000. This cost is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. The numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with the analysis of the reported information. Publication and distribution of the information are part of the AFS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Agency cost during the three years of the ICR is estimated to be \$569,246. This cost is based on the average hourly labor rate at a GS-12, Step 1, times a 1.6 benefits multiplication factor to account for government overhead expenses for a total of \$38.30.

These rates are from the Office of Planning and Management (OPM) "2002 General Schedule" which excludes locality rates of pay. Details upon which this estimate is based appear in Table 2: Average Annual EPA Resource Requirement for Monitoring Electric Utility Steam Generating Units/NSPS Subpart Db, below.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Approximately 644 sources are currently subject to the regulation and it is estimated that an additional 11 sources per year will become subject to the regulation in the next three years.

Respondent Universe and Number of Responses Per Year						
Regulation Citation	(A) Average Number of New Respondents per Year	(B) Number of Reports for New Sources	(C) Number of Existing Respondents	(D) Number of Reports for Existing Sources	(F) Number of Respondents that keep records but do not submit reports	(E) Total Annual Responses = (AxB)+(Cx D)+ F
40 CFR 60.49a(i)	9	2	515	2	0	1,048

Respondent Universe and Number of Responses Per Year						
40 CFR 60.49a(j)	2	4	129	4	0	524
Total	11		644			1,572

The number of total respondents is 655. This number is the sum of column A and column C of the Respondent Universe and Number of Responses Per Year table. This represents the number of existing sources plus the number of new sources averaged over the three-year period (i.e., the total number of new respondents over the three year period divided by three years). It is shown in block 13 (a), Number of respondents, on the OMB 83-I form.

The number of Total Annual Responses is 1,572. This is the number in column E of the Respondent Universe and Number of Responses Per Year table. It is shown in block 13 (b), Total annual responses, on the OMB 83-I form.

The total annual labor costs are \$7,628,548. This number is not shown on the OMB 83-I form in block 13(c), Total hours requested. Only the burden hours are reflected in block 13(c). Details upon which this estimate is based appear in Table 1. Annual Burden of Recordkeeping and Reporting Requirements as a Result of the Standards for Electric Utility Steam Generating Units/NSPS Subpart Da.

The total annual capital and O&M costs to the regulated entity are \$11,860,000. This number is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. These costs are detailed in section 6(b)(iii), Capital/Startup vs. Operating and Maintenance (O&M) Costs.

6(e) Bottom Line Burden Hours Burden Hours And Cost Tables

The bottom line burden hours and cost tables for both the Agency and the respondents are attached below.

6(f) Reasons for Change in Burden

The increase in burden from the most recently approved ICR is due to a more accurate figure for the size of the regulated universe.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 85 hours per response. Burden means the total time, effort, or financial

resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number OECA-2002-0016, which is available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., N.W., Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center is (202) 566-1514. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, D.C. 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID Number OECA-2002-0016 and OMB Control Number 2060-0023 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

TABLE 1. ANNUAL BURDEN OF RECORDKEEPING AND REPORTING REQUIREMENTS AS A RESULT OF THE STANDARDS FOR ELECTRIC UTILITY STEAM GENERATING UNITS/ NSPS SUBPART Da.

	A	B	C	D	E	F
Reporting and recordkeeping requirements	Person hours per occurrence	Annual occurrences per respondent	Annual person hours per respondent (A x B)	Total number of respondents	Total annual person hours (C x D)	Total annual cost (E x \$57.12)
1. APPLICATIONS	N/A					
2. SURVEYS AND STUDIES	N/A					
3. REPORTING REQUIREMENTS						
a. Read instructions	1	1	1	11	11	\$628
b. Required activities						
Initial Emissions Test	160	1	160	11	1,760	\$100,531
Reference Method 9	4	30	120	11	1,320	\$ 75,398
Report Performance Test	60	0.2(b)	12	11	132	\$ 7,540
c. Create information				Included in 3B		
d. Gather information.				Included in 3E		
e. Write report						
Notification of Construction/reconstruction	2	1	2	11	22	\$1,257

	A	B	C	D	E	F
Reporting and recordkeeping requirements	Person hours per occurrence	Annual occurrences per respondent	Annual person hours per respondent (A x B)	Total number of respondents	Total annual person hours (C x D)	Total annual cost (E x \$57.12)
Notification of anticipated/actual startup	2	1	2	11	22	\$1,257
Notify of actual startup	2	1	2	11	22	\$1,257
Notify of initial performance test	2	1.2	2	11	22	\$1,257
Notify of demonstration of CMS	2	1	2	11	22	\$1,257
Report of Performance test				Included in 3B		
Semiannual report	8	2	16	515	8,240	\$470, 669
Quarterly report	8	4	32	129	4,128	\$235,791
4. RECORD KEEPING REQUIREMENTS						
a. Read instructions				Included in 3A		
b. Plan Activities				Included in 4C		
Implement Activities				Included in 3B		

Development record system				N/A		
c. Time to check computer system and calibrate continuous monitors	0.5	365(c)	183	644	117,852	\$6,731,706
	A	B	C	D	E	F
Reporting and recordkeeping requirements	Person hours per occurrence	Annual occurrences per respondent	Annual person hours per respondent (A x B)	Total number of respondents	Total annual person hours (C x D)	Total annual cost (E x \$57.12)
d. Time to Train Personnel				N/A		
e. Time For Audits				N/A		
TOTAL: ANNUAL BURDEN					133,553	\$7,628,548

Footnotes:

- a) Assume approximately 6 plants (respondents) will become subject over a 3-year period. Assume consistent progression of NSPS coverage, so that the number of new sources per year equal 6/3 or 2.
- b) Assume 20% of initial performance tests must be repeated due to failure.
- c) Assume operation 365 days per year as specified in the NSPS review document

TABLE 2. AVERAGE ANNUAL EPA RESOURCE REQUIREMENT FOR MONITORING ELECTRIC UTILITY STEAM GENERATING UNITS/ NSPS
SUBPART Da.

	(A)	(B)	(C)	(D)	(E)	(F)
Activity	EPA hours per occurrence	Occurrences per plant per year	EPA hours per plant per year (A x B)	Plants per year	EPA hours per year (C x D)	Total annual cost (E x \$38.30)
Performance tests						
New Plants	24	1.2	28.8	11	316.8	\$12,133
Review report of startup	160	1.2	192	11	2,112	\$80,890
Report Review						
Notified of construction	2	1	2	11	22	\$843
Notified of anticipated startup	0.5	1	0.5	11	5.5	\$211
Notified of actual startup	0.5	1	0.5	11	5.5	\$211
Notified of Initial test	0.5	1.2	0.6	11	6.6	\$253
Notified if CMS demonstration	0.5	1	0.5	11	5.5	\$211
Review excess emissions reports						
Semiannual	8	2	16	515	8,240	\$315, 592
Quarterly	8	4	32	129	4, 128	\$158,102
Travel(e)						\$800

	(A)	(B)	(C)	(D)	(E)	(F)
Activity	EPA hours per occurrence	Occurrences per plant per year	EPA hours per plant per year (A x B)	Plants per year	EPA hours per year (C x D)	Total annual cost (E x \$38.30)
TOTAL					14,842	\$568,446
TOTAL ANNUAL COST						\$569,246

Footnotes:

a, $A \times B = C$

b) $C \times D = E$

c) Assume 20% of initial performance test must be repeated due to failure.

d) Burden cost is calculated at a rate of \$38.30 (\$23.94 x 1.6 to account for government benefits and overhead expenses).

e) Travel Expenses (1 person x 2 plants/yr x 3 days/plant X \$50 per diem) + (\$250 round trip/plant x 2 plants/yr) = \$800